

Application No.: 10/517,488

REMARKS

Reconsideration of this patent application is respectfully requested in view of the foregoing amendments, and the following remarks.

The amendments to this patent application are to revise the abstract and the claims so as to overcome the formal rejection thereof. With regard to the abstract, it was objected to because of implied phrases and legal phraseology.

In response to this objection, the abstract has been amended canceling this language.

With regard to the specification, was objected to as failing to provide proper antecedent basis for the terms "doser device", cap 4 being threadedly attached and "external" and "internal" parts of portion 3.

In response to this objection, claim 1 and 2 were amended canceling these languages and using others that have proper antecedent basis in the specification.

With regard to multiple dependent claims 4 and 5 were objected to as being in improper form.

In response to this objection, they have amended to refer back to other claims in the alternative only.

35 U.S.C. 112 Rejections

Claims 1 to 3 were rejected under 35 U.S.C. 112, second paragraph, as failing to particularly point out and distinctly claim the subject matter which

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applicant regards as the invention, since an antecedent basis for "the internal container space" and "the arm" had not been defined.

In response to this objection, claim 1 has been amended to substitute these terms for others with proper antecedent basis.

35 U.S.C. 103 Rejections

Claims 1 to 3 stand rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 4,049,354 (O'Rourke) in view of U.S. Patent 6,488,665 (Severin et al.)

Applicant respectfully traverse.

The Office Action asserts that O'Rourke teaches "a brush comprised of an elastic body 11 having an outlet opening at an end thereof with internal threads 115 and a membrane 112 on the internal portion of the opening".

The handle portion of the invention of O'Rourke has a relatively rigid spine and an elongated flexible tube that surrounds the head and spine is attached by a suitable adhesive.

The patent of O'Rourke works thanks to a complicated mechanism that differs substantially from the simple mechanism of this application. The dentifrice passes a valve chamber that houses the valve mechanism for opening and closing the passageway leading from the chamber to the brush head. The valve mechanism includes a valve housing which comprises an outer ring, a cylinder, and radially spaced webs. A valve element has a piston-like valve stem and a piston head. A compression coil spring compressed between the cylinder and the piston urges the valve element to the closed position.

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CONCLUSION

In view of the foregoing, all pending claims 1-5 are submitted to be in condition for allowance, the early indication of which is earnestly solicited.

It is believed that no fee should be required. However, if any fee is required for the filing of this document at this stage of the prosecution, we respectfully solicit notice of it.

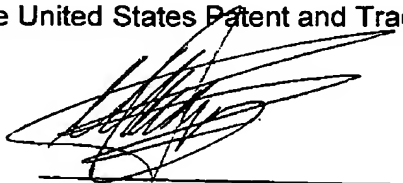
Respectfully submitted,



Máximo Gavira Montes

Applicant

I hereby certify that this correspondence is being transmitted by facsimile on February 28, 2006, to the United States Patent and Trademark Office at 571-273-8300.



Máximo Gavira Montes